

Implementing "Breaking The Gridlock" Pilot Project Recommendations

**[December 2000 Federal Land Task Force Working Group
Report, *Breaking The Gridlock: Federal Land Pilot
Projects in Idaho*]**

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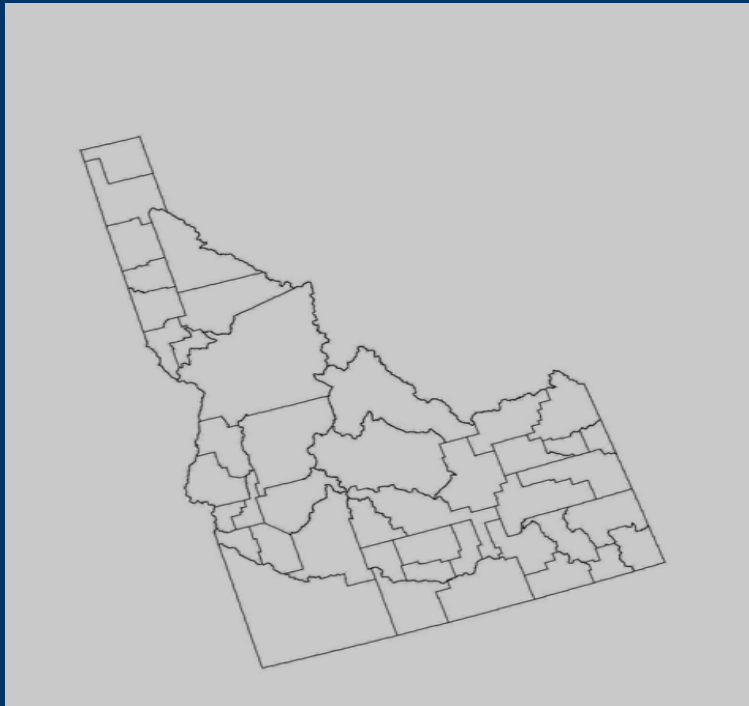
BACKGROUND

"Gridlock" ["Analysis Paralysis"]:

The Forest Service operates within a decision-making framework that "has kept the agency from effectively addressing rapid declines in forest health. This same framework impedes nearly every other aspect of multiple-use management as well."

U.S.D.A. Forest Service (2002). *The Process Predicament: How Statutory, Regulatory, and Administrative Factors Affect National Forest Management.*

New Approaches for Managing Federally Administered Lands



A Report to the
Idaho State Board of
Land Commissioners
by the
Federal Lands
Task Force

July 1998

New Approaches

Idaho Federal Land Task Force

- Purpose: Examine alternative methods of managing federal land in Idaho
- 19 members, appointed by Idaho Board of Land Commissioners in September 1996
- 19 public meetings held around the state
- Reported findings and recommendations in the July 1998 report

New Approaches

Findings:

Finding 1.

The current processes of federal land management have resulted in uncertain decision making, destabilization of resource dependent communities, and deterioration in environmental quality on federal lands.

In short, the system is broken.

Finding 2.

Significant changes to these processes are necessary.

New Approaches

Principles:

- Ownership of federal lands will not be transferred to the State of Idaho;
- A variety of uses will continue on lands currently managed for multiple use;
- The public will be involved in the decision-making process.

New Approaches

Recommendations:

The State Board of Land Commissioners should pursue a pilot project(s) testing one or more of three alternative approaches for federal land management:

- *Collaborative management*, in which stakeholders work in a group with the federal agencies to strive for greater consensus regarding management;
- *Cooperative management*, in which state and federal agencies commit to manage an area of federal land under a joint powers agreement, coordinating and where appropriate consolidating administration;
- *Trust land management*, similar to the fiduciary approach employed to manage state forest and range lands throughout the West, with relatively clear missions and objectives.

New Approaches

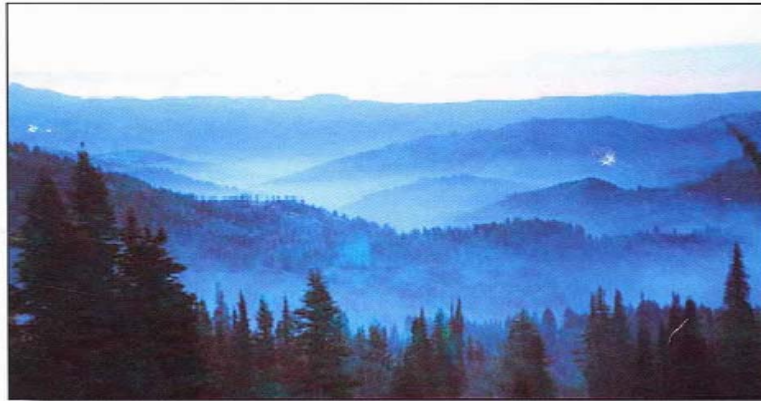
Idaho Legislature action:

We endorse the report submitted by the Federal Lands Task Force to the Idaho Board of Land Commissioners, support further action by the Idaho Board of Land Commissioners on the proposals contained in the report, and urge the Congress of the United States to pass legislation implementing the recommendations contained in the report.

House Concurrent Resolution No. 8, Idaho Legislature, March, 1999.

BREAKING THE GRIDLOCK

Federal Land Pilot Projects
In Idaho



A Report to the Idaho State Board of Land Commissioners
by the
Federal Lands Task Force Working Group
December 2000

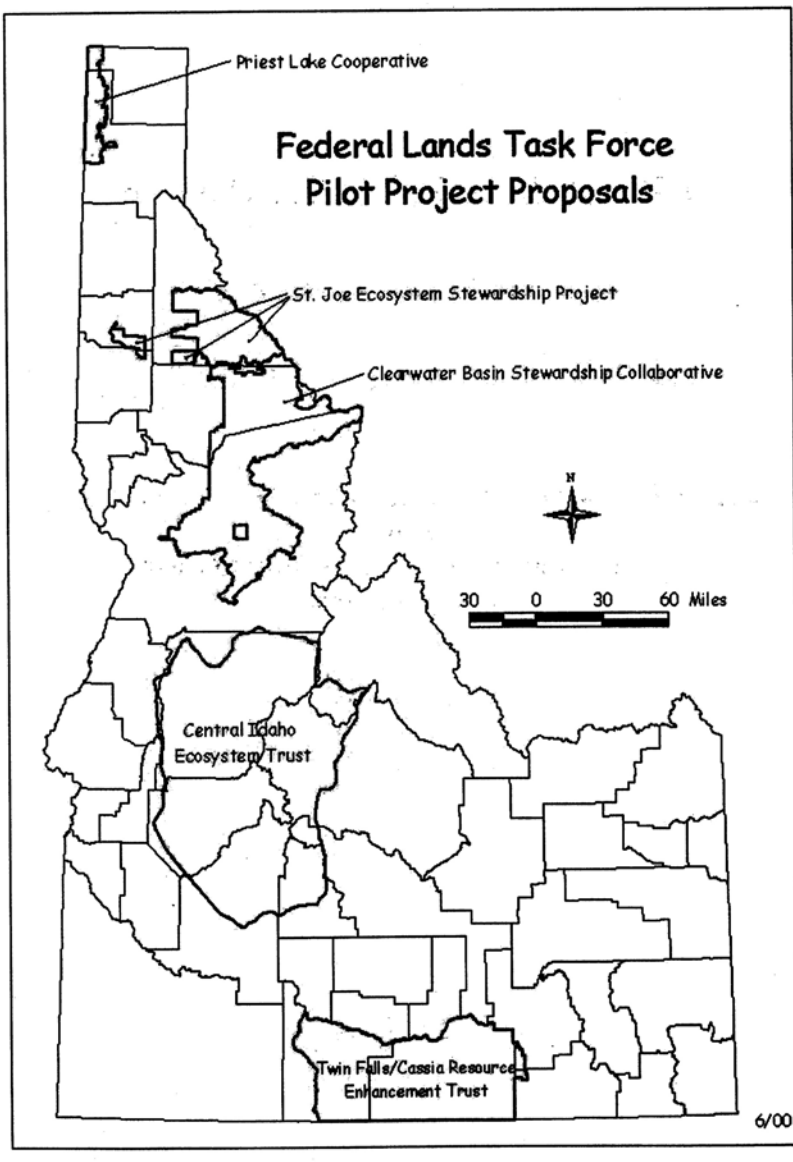
Federal Lands Task Force Working Group

- established in September 1999
- 8 members appointed by the Board of Land Commissioners
- Purpose: to identify pilot projects to implement to test the 3 alternative approaches for managing federal lands described in the Task Force New Approaches Report

Breaking the Gridlock . . .

Findings and Recommendations:

- Gridlock and related forest and community health issues persist as a major problem
- Five specific pilot projects recommended to consider for implementation:
 1. Clearwater Basin Stewardship Collaborative
 2. Central Idaho Ecosystem Trust
 3. Priest Lake Basin Cooperative
 4. St. Joe Ecosystem Stewardship Project
 5. Twin Falls/Cassia Resource Enhancement Trust



Breaking the Gridlock . . .

Public comment:

- Circulated for public comment for about a six week period - December 2000 to early February 2001.
- Over 500 comments were received from within and outside Idaho.
- Over 80% of the comments received were favorable.

Breaking the Gridlock . . .

Board of Land Commissioners Action:

At its February 2001 meeting, the Board of Land Commissioners adopted the following Working Group recommendations regarding the December 2000 Report:

- Approve the Report;
- Transmit the Report to the Congressional Delegation for its consideration;
- Direct the Department of Lands to support implementation of the Report in Congress;
- Recommend that the Congress continue to take public comment as they progress in their study of the report.

IMPLEMENTATION

Perkins Coie LLP Consultant Services

[Idaho Department of Lands awarded contract in December 2001]

Purpose: to implement findings and recommendations of the Federal Lands Task Force Working Group "Breaking the Gridlock . . ." Report

Implementation Actions:

Implementation strategy and action plan — March 2002

Scoping — key contacts and stakeholders

- Working Group members; February 2000 meeting
- Proponents of pilot projects
- Forest Service and BLM officials
- Idaho Congressional Delegation
- State Legislators
- Board of Land Commissioners staff

Implementation strategy and action — focus:

- Implementing all five projects in a package through federal legislation at the present time is not realistic
- Updated circumstances: some projects are more ready for implementation than others
- Ultimate focus on Clearwater Basin Stewardship Collaborative Project, with some work on all four other pilots

Implementation strategy and action — components:

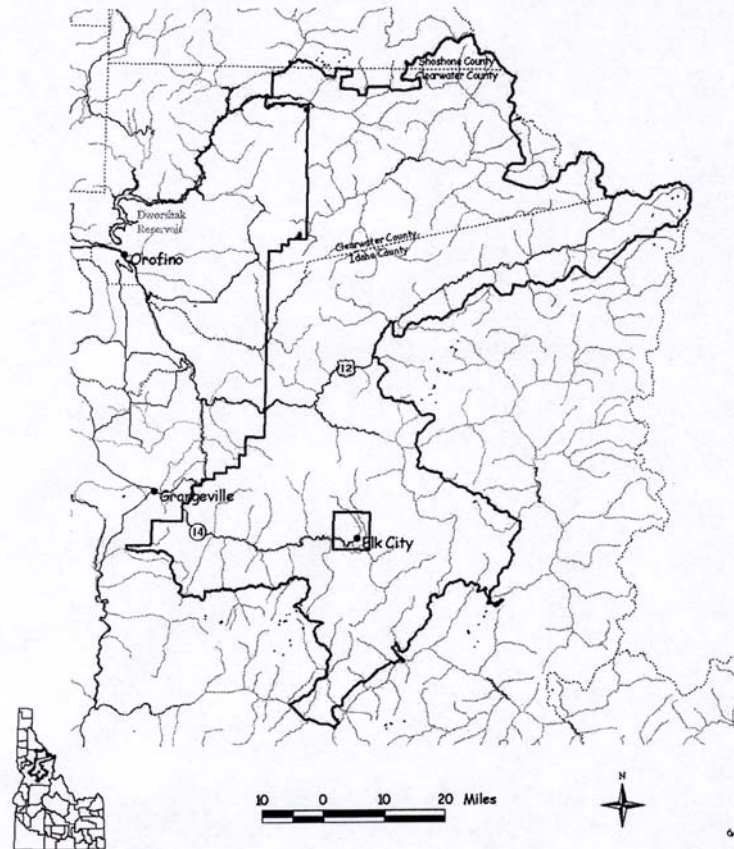
- Build understanding and support regarding pilot projects and need for implementation
- Work to develop draft legislation and strategy for enactment
- Track and otherwise coordinate with similar efforts across the Country

Implementation—status:

1. Clearwater Basin Stewardship Collaborative

- Clearwater Basin Project Act, introduced October 10, 2002 as H.R. 5629 by Rep. Otter
- Positioned for further positive consideration in Congress by early 2003
- Provides a template for additional pilot project proposals or broader authorization of pilots

Clearwater Basin Stewardship Collaborative



Clearwater Basin Project Act . . .

Overview:

- Incorporates concepts and addresses needs described in the Clearwater Basin Stewardship Collaborative Project in the "Breaking the Gridlock . . ." Report
- Focuses on collaboration to identify and implement specific high priority activities that meet stewardship objectives
- Sets out a structure for stakeholders to work in a group with agencies and the public to achieve consensus
- Provides a working test of this approach, fully within existing environmental laws.

Clearwater Basin Project Act . . .

"groundwork" interaction with local stakeholders and constituencies:

- Proponents
- Working Group members
- North Central Idaho Resource Advisory Committee ("RAC")
- Forest Service
- Nez Perce Tribe
- conservation community representatives
- press
- Idaho Association of Counties: September 2000 Public Lands Steering Committee Resolution supports enactment

Clearwater Basin Project Act . . .

Summary of Provisions:

- requires the Secretary of Agriculture to establish the Clearwater Advisory Panel ("CAP"), a collaborative group comprised of a broad spectrum of stakeholders in Clearwater Basin national forest management;
- provides for the CAP to work with the Forest Service, other agencies and the public to recommend specific high-priority forest stewardship activities to implement over a five-year period within the Basin;
- requires the appropriate Forest Supervisor to review and approve the five-year schedule of activities for each Forest;

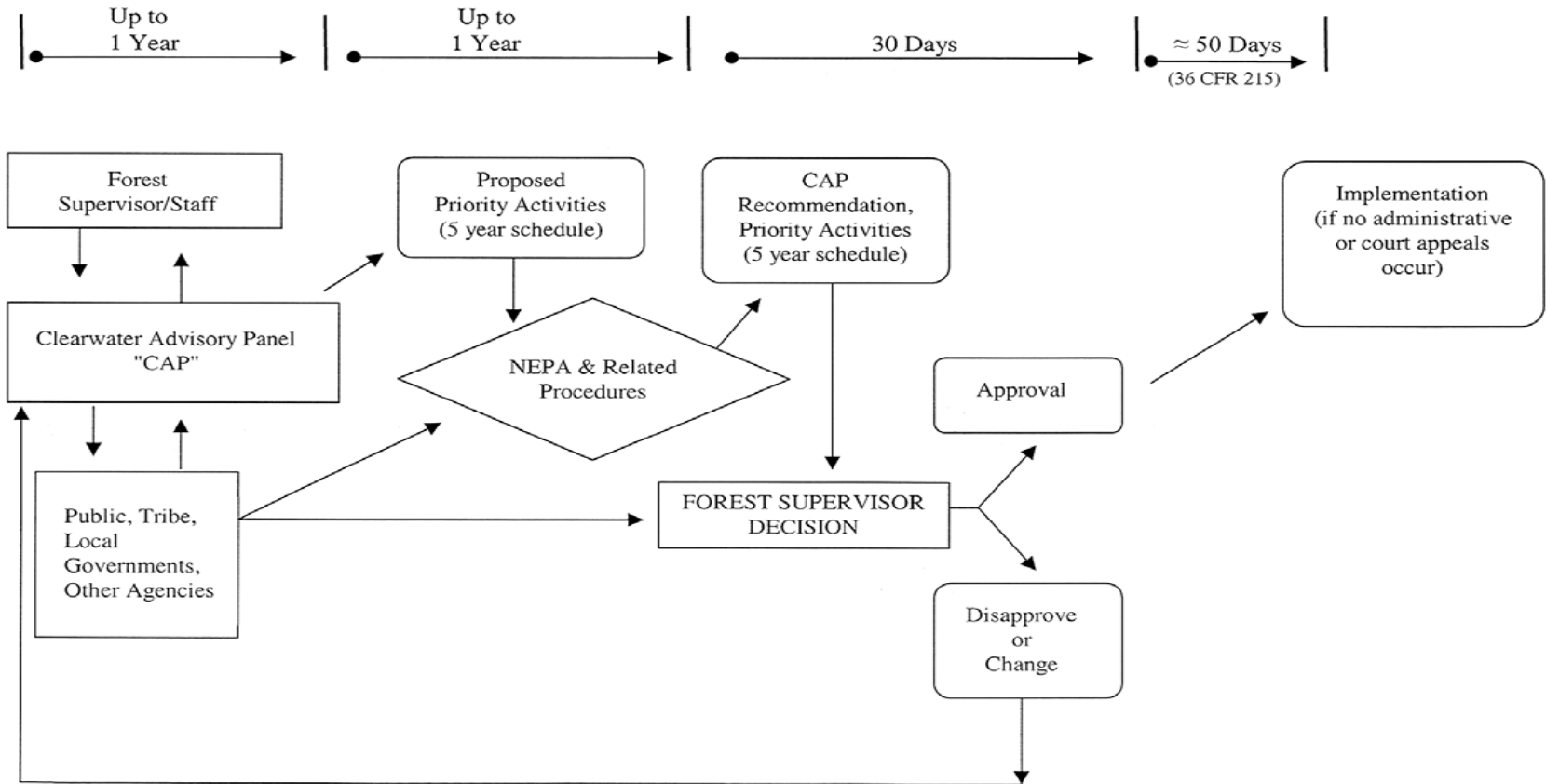
Summary of Provisions cont . . .

- requires the Forest Service and other federal agencies to complete National Environmental Policy Act (NEPA) and related procedures for each proposed schedule of activities, within one year after the Forest Service issues the public scoping notice for the proposed schedule;
- requires the Forest Supervisor to then issue a decision whether to approve the schedule recommended by the CAP, within 30 days;
- provides additional authority for stewardship and other contracting to prepare and carry out activities recommended and approved for priority implementation;

Summary of Provisions cont . . .

- provides for monitoring to measure the success of the project and to assure accountability for that success;
- authorizes funding and requires other support needed for the project to succeed.

CLEARWATER BASIN PROJECT ACT (H.R. 5629) FLOW CHART



Document4

Clearwater Basin Project Act . . .

DOES NOT:

- transfer ownership or control of any national forest lands from the United States to anyone else;
- transfer Forest Service national forest decision authority to anyone else;
- exempt Forest Service decisions or the priority activities from environmental laws, or from administrative appeal and judicial review;
- impair opportunities for participation by any interest group or the general public.

Implementation—status:

2. Central Idaho Ecosystem Trust

- Probably requires adaptation to a smaller geographic scale and other substantial changes for successful implementation.
- Requires further work, particularly at the local level, before being ready for further Congressional consideration.

Implementation—status:

3. Priest Lake Basin Cooperative Project

- March 2002 meeting with local stakeholders and agency officials
- probably needs substantial adaptation or reformulation to achieve local consensus
- Implementation of the Lakeface Lamb Stewardship Project is proceeding in the same general area.

Implementation—status:

4. St. Joe Ecosystem Stewardship Project

- Can be implemented in large part by extending existing Forest Service stewardship contract authority to accommodate additional specific contracting projects.
- More local information regarding candidate projects and level of need is required to proceed.
- Some current concerns regarding stewardship contracting expressed by conservation groups may need to be further addressed.

Implementation—status:

5. Twin Falls/Cassia Resource Enhancement Trust

- Major issue: split of responsibility for project area lands between Forest Service and BLM
- Further work with agencies and local constituencies is needed to craft a project that can be successfully implemented
- Components to pursue:
 - 1) designate a single federal land manager
 - 2) establish a local stakeholder advisory board
 - 3) trust land concepts
 - 4) funding for ecosystem treatments

Tracking/Coordination with other efforts across the country—examples:

- The "charter forest" proposal included in the President's Fiscal Year 2003 proposed budget documents in February 2002.
- Efforts to create a Forest Service "Region 7" umbrella structure for authorizing and implementing charter forest or other national forest pilot projects.
- The National Fire Plan 10-Year Strategy and Implementation Plan, approved in May 2002 by the western Governors and federal agencies, in collaboration with counties, state foresters and tribes.

Tracking/Coordination efforts cont . . .

- The President's "Forest Health Initiative" announced in August 2002 and subsequent legislative proposals for implementation.
- Other forest restoration/catastrophic wildfire legislation pending in the Congress.

Tracking/Coordination efforts cont . . .

- Forest Service stewardship contracting projects: Lakeface Lamb and Iron Honey (Idaho Panhandle NF); Meadow Face (Nez Perce NF); North Kennedy/Cottonwood (Boise NF)
- The Valles Caldera Trust (New Mexico)
- The Quincy Library Group Project (California)
- The Collaborative Forest Restoration Program (New Mexico)

RECOMMENDED FURTHER IMPLEMENTATION STEPS

1. **Clearwater Basin Project Act.** Further support for refining and enacting H.R. 5629, with continued public comment and other participation
2. **Twin Falls/Cassia County Project.** Further work with the Forest Service, BLM and local constituents to implement a workable pilot project based on the Resource Enhancement Trust proposal.
3. **Other specific pilot projects.** Similar further work towards implementing one or more pilot projects based on the other three proposals in the "Breaking the Gridlock . . ." Report.
4. **Broader pilot project authorization and funding.** Further pursue more general pilot project authorization and funding legislation.
5. **Continued coordination.** Continued coordination with similar efforts nationwide.